



Planning & Infrastructure

Office of the Director General

Mr Victor Lampe
General Manager
Hurstville City Council
PO Box 205
HURSTVILLE BC NSW 1481

Contact: Emily Marriott-Brittan
Phone: (02) 9228 6111
Fax: (02) 9228 6244
Email: Emily.Marriott-Brittan@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001

Our ref: PP_2012_HURST_001_00 (12/14921)
Your ref: 12/1300; D12/96463

Dear Mr Lampe,

Planning proposal to amend the draft Hurstville Local Environmental Plan 2012

I am writing in response to your Council's letter dated 13 September 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the draft Hurstville Local Environmental Plan (LEP) 2012 to include former Canterbury City Council land within Hurstville City Council's planning controls.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal within four (4) weeks from the week following this determination. Council's request for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54 (2) (d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Emily Marriott-Brittan of the regional office of the department on 02 9228 6111.

Yours sincerely,


Sam Haddad
Director-General

15/10/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_HURST_001_00): to amend the draft Hurstville Local Environmental Plan 2012 to include land currently zoned under the Canterbury Planning Scheme Ordinance.

I, the Director-General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the draft Hurstville Local Environmental Plan (LEP) 2012 to amend the Land Application, Land Zoning, Lot Size, Height of Buildings and Floor Space Ratio Maps to include former Canterbury City Council land within Hurstville City Council's planning controls should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

15th

day of

October

2012.



Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure